

## Environmental Protection Agency

## § 52.939

ozone policy (52 FR 45044), and other EPA guideline relating to the deficiencies before the SIP for ozone can be fully approved.

[59 FR 32352, June 23, 1994]

### § 52.935 PM<sub>10</sub> State implementation plan development in group II areas.

On July 7, 1988, the State submitted a committal SIP for the cities of Ashland and Catlettsburg in Boyd County. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM<sub>10</sub> at 52 FR 24681. The SIP commits the State to submit an emissions inventory, continue to monitor for PM<sub>10</sub>, report data and to submit a full SIP if a violation of the PM<sub>10</sub> National Ambient Air Quality Standards is detected.

[55 FR 4172, Feb. 7, 1990]

### § 52.936 Visibility protection.

(a) *Regional Haze.* The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by Kentucky on June 25, 2008, and amended on May 28, 2010, does not include fully approvable measures for meeting the requirements of 40 CFR 51.308(d)(3) and 51.308(e) with respect to emissions of NO<sub>x</sub> and SO<sub>2</sub> from electric generating units. EPA has given limited approval and limited disapproval to the plan provisions addressing these requirements.

(b) *Measures Addressing Limited Disapproval Associated with NO<sub>x</sub>.* The deficiencies associated with NO<sub>x</sub> identified in EPA's limited disapproval of the regional haze plan submitted by Kentucky on June 25, 2008, and amended on May 28, 2010, are satisfied by § 52.940.

(c) *Measures Addressing Limited Disapproval Associated with SO<sub>2</sub>.* The deficiencies associated with SO<sub>2</sub> identified in EPA's limited disapproval of the regional haze plan submitted by Kentucky on June 25, 2008, and amended on May 28, 2010, are satisfied by § 52.941.

[77 FR 33657, June 7, 2012]

### § 52.937 Review of new sources and modifications.

(a) Approval—EPA is approving the section 182(f) oxides of nitrogen (NO<sub>x</sub>) reasonably available control tech-

nology (RACT) exemption request submitted by the Kentucky Department for Environmental Protection on August 16, 1994, for the Kentucky portion of the Huntington-Ashland ozone (O<sub>3</sub>) moderate nonattainment area. This approval exempts this area from implementing NO<sub>x</sub> RACT on major sources of NO<sub>x</sub>. If a violation of the O<sub>3</sub> NAAQS occurs in the area, the exemption from the requirement of section 182(f) of the CAA in the applicable area shall not apply.

(b) Approval—EPA is approving the section 182(f) oxides of nitrogen (NO<sub>x</sub>) reasonably available control technology (RACT) exemption for the Kentucky portion of the Cincinnati-Hamilton ozone (O<sub>3</sub>) moderate nonattainment area. This approval exempts this area from implementing NO<sub>x</sub> RACT on major sources of NO<sub>x</sub>.

[60 FR 21717, May 3, 1995, as amended at 65 FR 37898, June 19, 2000]

### § 52.938 General conformity.

The General Conformity regulations were submitted on November 10, 1995, and adopted into the Kentucky State Implementation Plan (SIP). The Commonwealth of Kentucky incorporated by reference regulations 40 CFR part 51, subpart W—determining conformity of General Federal Actions to State or Federal Implementation Plans.

[63 FR 40046, July 27, 1998]

### § 52.939 Original identification of plan section.

(a) This section identifies the original "Air Implementation Plan for the Commonwealth Kentucky" and all revisions submitted by Kentucky that were federally approved prior to March 1, 1999.

(b) The plan was officially submitted on February 8, 1972, and was resubmitted on December 5, 1973.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Clarifying comments on the plan submitted on March 6, 1972, by the Kentucky Air Pollution Control Office.

(2) Chapters IV and V, Control Strategies, and Chapter VII, Emission Control Regulations, submitted on March 17, 1972, by the Kentucky Air Pollution Control Office.